IN THE HIGH COURT OF JUDICATURE AT BOMBAY
SIDE JURISDICTION
CRIMINAL WRIT PETITION NO.240 OF 2007

Ashok Mahadeo Phadnis & Anr. ...Petitioners.
V/s.
M/s.Walchandnagar Sahakari Bank Ltd. & Anr....Respondents.

Shri Uday Warunjikar, adv. for the Petitioners.
Smt.M.M.Deshmukh, APP for the Respondent/State.

WITH
CRIMINAL APPLICATION NO.490 OF 2006
IN
CRIMINAL WRIT PETITION NO.1354 OF 2006

Ashok Mahadeo Phadnis & Anr. .Applicants.
V/s.
Walchandnagar Sahakari Bank Ltd. & Anr. ..Respondents.

Shri Uday Warunjikar, adv. for the Applicants.
Ms.S.V.Gajare, APP for the State.

CORAM: J.H.BHATIA, J.
DATE : 23rd March, 2007.

P.C.:

1. Heard the learned counsel for the Parties.

2. Petition was filed against the order of dismissal of appeal against the conviction in a complaint under Section 138 of the Negotiable Instruments Act filed by the respondent Walchandnagar Sahakari Bank Ltd. Today petitioners and the respondent no.1 have filed Consent Terms marked 'X' and in view of the Consent Terms, matter is amicably settled and compounded. And, therefore, this petition is allowed in

terms of the said Consent Terms with resolution marked 'Y' passed by the respondent no.1 Bank. Mr.Warunjikar, the learned counsel for the petitioners has handed over two demand drafts for total amount of Rs.17,25,000/- to Mr.Mate, advocate on behalf of the respondent no.1.

3. In view of this, Writ Petition stands disposed off accordingly.

4. In view of the disposal of the writ petition as per the Consent Terms, Criminal Application No.490 of 2006 does not survive and stands disposed off accordingly.

5. Mr.Mate the learned counsel makes a statement on behalf of the respondent no.1 Bank that in view of the payment made by the petitioners, the bank will hand over all the original title deeds of the residential house to the petitioners.

(J.H.Bhatia,J.)